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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,766	04/30/2001	Jacob McGuire	033048-064	9191

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EXAMINER

CHANKONG, DOHM

ART UNIT PAPER NUMBER

2152

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/843,766	<b>Applicant(s)</b> MCGUIRE, JACOB	
	<b>Examiner</b> Dohm Chankong	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

- 1> This action is in response to Applicant's remarks, filed 5.31.2006. Claims 1-14 are presented for further examination.
- 2> This is a final rejection.

### *Response to Arguments*

#### I. Response to Applicant's remarks

Applicant argues in substance that: (A) Sciacca's policies are not analogous to the claimed templates; (B) Sciacca does not disclose substituting variables with network addresses in Sciacca's policies; and (C) Sciacca does not disclose an interface issuing said commands in a format generic to a plurality of different types of devices and converting said generic commands into device-specific commands. Applicant's arguments have been fully considered but they are not persuasive for the following reasons.

#### A. Sciacca's policies function in the same manner as the claimed templates

Claim 1 cites a template which contains a sequence of commands for configuring a plurality of devices, wherein each command contains a variable as the identification of the device. Applicant argues that Sciacca's policies merely comprise rules that build the specific configuration for a device and are not analogous to the claimed template. Applicant argues that the term "template" as used in the claims is defined as "a predesigned document that contains formatting, and in many cases, generic text". Contrary to Applicants arguments,

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Sciacca's policies plainly have the limitations of the template as claimed in Applicant's claims and read upon the commonly understood meaning of "template".

For example, Sciacca discloses an example policy: "foreach SERIAL\_ADDR interface Serial SERIAL\_ID ip address SERIAL\_ADDR SERIAL\_MASK" [column 6 «lines 50-55»]. Each of these lines of the policy represent a command with a variable that identifies the device. Sciacca's policies are clearly a template for generating device specific configurations [column 8 «lines 47-60»].

Further, Sciacca's policies also fall within the definition set forth by Applicant in the remarks. Sciacca's policies are in fact a predesigned document that contains formatting [column 7 «lines 6-14 and 34-44» | column 8 «lines 20-27»].

B. Sciacca discloses substituting variables in the policies with network addresses

Applicant argues that Sciacca does not disclose substituting network addresses retrieved from a database for variables in the policy. However, Sciacca expressly discloses:

"the generator may...perform simple transformations on data from the device configuration database 310. For example, the variable SERIAL\_NET\_ADDR in a device configuration policy statement may refer to the class-full IP network that contains the value for the address of the serial interface (e.g., a serial interface with the address 4.1.2.3 belongs to the class-full IP network 4.0.0.0)" [column 9 «lines 11-17»].

Based on this section, it would have been obvious to one of ordinary skill in the art that a network address, such as an IP address, is substituted in the policy in place of the variable SERIAL\_NET\_ADDR. Furthermore, Sciacca discloses:

"To build a device-specific configuration, the device configuration generator 330 reads data from the device configuration database 310, constructs object inheritance and containment relationships among the data, prepares data referenced by variables in the policies database 320, and compiles the device configuration policies based on the prepared data to produce a deployable device-specific configuration" [column 8 «lines 61-67»].

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Finally, Sciacca discloses:

“In addition, the policies database 320 may accept mnemonic names to represent device configuration database 310 values, instead of literal values, in policy statements. For example, the names SERIAL\_ADDR and SERIAL\_MASK might be used to refer to the values 199.94.220.82 and 255.255.255.252, respectively, in the policy statement” [column 6 «lines 34-39»].

Based on the totality of these citations from Sciacca, the policy serves as a template for creating a device-specific configuration. The device-specific configuration is generated by replacing the variables within a policy, with device specific values, such as a device's network address [column 8 «lines 47-60»].

- C. Sciacca discloses an interface issuing said commands in a format generic to a plurality of different types of devices and converting said generic commands into device-specific commands

Applicant argues that Sciacca does not disclose an interface and a library. However, Sciacca's policies contain commands that are in a format generic to a plurality of different types of devices [column 6 «lines 50-55»]. The policies contain variables that are generic because the variables may be replaced by device specific values [column 6 «lines 34-40»]. Thus, the policies may be utilized for different types of devices [column 1 «lines 34-38»]. Sciacca did not expressly disclose an interface that issued these policies but did disclose that an engineer may create the policies [column 4 «lines 16-20»]. It would have been obvious to one of ordinary skill in the art that Sciacca would utilize an interface to help the engineer or novices to issue the policies.

Further, Sciacca's generator is analogous to the claimed library because the generator takes the policies and “converts” them by replacing the variables with the device specific

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values to create device-specific commands that are applied to particular network devices

[column 8 «line 61» to column 9 «line 31»].

## II. Conclusion

Based on the foregoing reasons, Applicant's arguments are not persuasive. The claim rejections set forth in the previous action, filed 1.31.2006, are maintained.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3> The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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- 4> Claims 1-4 and 8-11 are rejected under 35 U.S.C § 102(e) as being anticipated by Sciacca, U.S Patent No. 6,760,761.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 5> The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 6> Claims 5, 6, 12 and 13 is rejected under 35 U.S.C § 103(a) as being unpatentable over Sciacca.
- 7> Claims 7 and 14 are rejected under 35 U.S.C 103(a) as being unpatentable over Sciacca, in further view of McNeely et al, U.S Patent Application Publication US 2002/0162059 A1 ["McNeely"].

*Conclusion*



THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

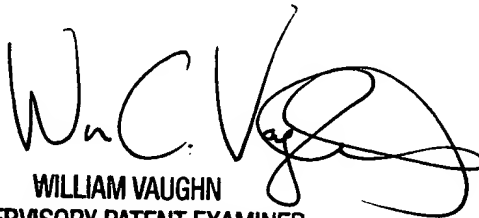
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Thursday [7:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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